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I hereby certify that this paper is being facsimile transmitted to the Commissioner for Patents, Examining Group 3653 at facsimile telephone number (703) 872-9308 on February 4, 2005.

Lisa L. Tucker 2/4/05
Lisa L. Tucker Date

Serial No.: 10/680,364
Filed: October 7, 2003
Group Art Unit: 3653
Applicant: Charles A. Miller
Title: CARTON WITH DISPENSER
Conf. No.: 4643

Cincinnati, Ohio 45202

February 4, 2005

Mail Stop Non-Fee Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Preliminary Amendment

Please enter this Preliminary Amendment which is being submitted prior to substantive examination of this application.

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper.

FEB 04 2005

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**PATENT, TRADEMARK, COPYRIGHT
 AND UNFAIR COMPETITION LAW
 AND RELATED LITIGATION**

EDMUND P. WOOD 1923-1968
 TRUMAN A. HERRON 1935-1976
 EDWARD B. EVANS 1936-1971

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FACSIMILE COVER SHEET

OF COUNSEL
 JOHN D. POFFENBERGER
 THOMAS W. FLYNN

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TO: Commissioner for Patents**Fax No:** 703/872-9306**Pages (including cover page):** 22**Date:** February 4, 2005

FROM: Keith R. Haupt, Esq.
Reg. No. 37,638

Re: This fax includes: Amendment Transmittal; Amendment; Authorization to
 Charge Deposit Account 23-3000

Serial No.: 10/680,364
 Filed: October 7, 2003
 Group Art Unit: 3653
 Applicant: Charles A. Miller

Title: CARTON WITH DISPENSER
 Conf. No.: 4643
 Our Ref.: RWZ-78U

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Lisa L. Tucker
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2/4/05
 Date

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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Charles A. Miller

Serial No.: 10/680,364

Examiner: Unknown

Filed: October 7, 2003

Group No.: 3653

For: CARTON WITH DISPENSER

Conf. No.: 4643

Mail Stop Fee Amendment
 Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

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AMENDMENT TRANSMITTAL

- Transmitted herewith is an amendment for this application.
- ☒ Small Entity status of this application under 37 CFR 1.9 and 1.27 has been established by a verified statement previously submitted.
☐ Enclosed is a verified statement to establish small entity status.
☐ Other Than a Small Entity.
- The fee has been calculated as shown below:

	(Col. 1)		(Col. 2)	(Col. 3)	SMALL ENTITY		LARGE ENTITY	
	Claims Remaining After Amendment		Highest No. Previously Paid For	Present Extra	Rate	Addit. Fee	Rate	Addit. Fee
TOTAL	*67	MINUS	**54	13	x 25	\$325	x50	\$
INDEP.	*9	MINUS	***5	4	x100	\$400	x200	\$
FIRST PRESENTATION OF MULTIPLE DEP. CLAIM					+180	\$	+360	\$
					TOTAL FEE	\$725	TOTAL FEE	\$

* If the entry in Col. 1 is less than the entry in Col. 2, write "0" in Col. 3.

** If the "Highest No. Previously Paid for" IN THIS SPACE is less than 20, write "20" in this space.

*** If the "Highest No. Previously Paid for" IN THIS SPACE is less than 3, write "3" in this space.

The "Highest No. Previously Paid for" (Total or Independent) is the highest number found from the equivalent box in Col. 1 of a prior amendment or the number of claims originally filed.

☐ No additional fee for claims is required.☒ Total fee for claims required \$ 725.00.

4. Attached is a check in the sum of \$_____.

☒ Please charge my Deposit Account No. 23-3000 in the amount of \$ 725.00. A duplicate copy of this sheet is attached.

5. The proceedings herein are for a patent application and the provisions of 37 CFR 1.136 apply.

Complete (a) or (b) as applicable.

- (a) _____ Applicant petitions for an extension of time under 37 CFR 1.136 for the total number of months checked below:

<u>Extension (months)</u>	<u>Fee for other than small entity</u>	<u>Fee for small entity</u>
_____ one month	\$ 120.00	\$ 60.00
_____ two months	\$ 450.00	\$ 225.00
_____ three months	\$1,020.00	\$ 510.00
_____ four months	\$1,590.00	\$ 795.00
_____ five months	\$2,160.00	\$1,080.00

Fee: \$ _____

_____ Please charge my Deposit Account No. 23-3000 in the amount of \$ _____. A duplicate copy of this sheet is attached.

If an additional extension of time is required, please consider this a petition therefor.

(Check and complete the next item, if applicable)

_____ An extension for _____ months has already been secured. The fee paid therefor of _____ is deducted from the total fee due for the total months of extension now requested.


Extension fee due with this request \$ _____.

OR (b)

X Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition for extension of time.

X If any additional fee for claims or extension is required, charge Acct. No. 23-3000.

2700 Carew Tower
Cincinnati, Ohio 45202
(513) 241-2324



Signature of attorney

Keith R. Haupt
Type name of Attorney

Reg. No. _____ 37,638 _____

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